	Application No.	Applicant(s)
Notice of Allowability	09/944,293	CHOI, SUNMEE
	Examiner	**Art Unit**	
	Daniel P. Vetter	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *response filed 6/19/2007*.

2. ☒ The allowed claim(s) is/are *1-74*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *20070828* .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

        Authorization for this examiner's amendment was given in a telephone interview with Dan Sheridan on August 28, 2007.

        The application has been amended as follows:

ABSTRACT

~~In a buyer-driven commerce system, pertaining most directly to the sale of hotel rooms, methods~~ Methods for optimizing hotel revenues for a predetermined sale margin, optimizing room nights for a predetermined amount of margin, optimizing margin amounts for a predetermined amount of room nights, and reports based on the same are disclosed. Demand data is collected from conditional purchase offers submitted to the buyer-driven commerce system by potential buyers ~~of hotel rooms~~. Those conditional purchase offers which preferably are ~~not accepted or resubmitted~~ rejected are analyzed in order to determine parameters, ~~such as optimum subsidy amount,~~ which may result in increased revenues for the system operator of the buyer-driven commerce system or for participants who sell room nights through the system. Collected demand data may include an offer price, ~~one or more dates~~ during which the buyer would like to purchase the room nights, or a promotional bump amount ~~that may be applied based on the buyer's participation in a directed marketing promotion and the system price for the room night~~. Reports of expected changes in demand based upon the simulated changes to the business parameters are ~~then~~ generated and presented to hotel ~~system~~ operators, who may change acceptance parameters based on the reports.

SPECIFICATION

Replace the paragraph beginning on line 11 of page 2 as follows:

This application is further related to U.S. Provisional Patent Application Ser. No. 60/231,456 entitled "SYSTEM AND METHOD FOR MAXIMIZING ACCEPTANCE PARAMETERS FROM COLLECTED DEMAND DATA IN A BUYER-DRIVEN COMMERCE SYSTEM" filed in the name of Michael Majeed and Sunmee Choi on September 8, 2000, and U.S. Patent Application Ser. No. [[_____]] 09/943,651 entitled "SYSTEM AND METHOD FOR MAXIMIZING ACCEPTANCE PARAMETERS FROM COLLECTED DEMAND DATA IN A BUYER-DRIVEN COMMERCE SYSTEM" filed in the name of Michael Majeed and Sunmee Choi on August 31, 2001, the entirety of each being incorporated herein by reference.

Replace the paragraph beginning on line 16 of page 11 as follows:

Other input/output devices [[30]]26 may include a telephonic or network connection device, such as a telephone modem, a cable modem, a T-1 connection, a digital subscriber line or a network card, for communicating data to and from other computer devices over the computer network 10. In an embodiment involving a network server, it is preferred that the communications devices used as input/output devices [[30]]26 have capacity to handle high bandwidth traffic in order to accommodate communications with a large number of user terminal 16 and seller server 14.

Replace the paragraph beginning on line 16 of page 15 as follows:

Referring now to Fig. 4, a booking database 46 is provided to store and manage seller bookings which are available for the submission of purchase offers by the plurality of users 16 of the system 12. In a preferred embodiment, the bookings correspond to hotel reservations which are provided by hotel proprietors However, it is contemplated that the bookings may correspond to other products or services which are preferably suitable for a buyer-driven commerce system, such as airline ticket reservations, car rental purchases, automobile purchases, mortgages groceries, etc In such embodiments, the fields of booking database 46, as described below, may be altered to accommodate suitable data for such products and services. In the preferred embodiment, the booking database 46 includes a seller identification field 48, a star rating field 50, a geographic location field 52, a room type field[[53]], a minimum acceptable price field 54, a date available field[[55]], a margin required field 56 and a subsidy available field 58.

Replace the paragraph beginning on line 18 of page 16 as follows:

Room type field [[53]]preferably stores an indication of a room type available for the booking, e.g. single occupancy, double occupancy, smoking, non-smoking, etc. In alternate embodiments, the room type field [[53]]may be substituted with a field appropriate to the booking being offered. For example, in a buyer-driven commerce system offering airline tickets, the room type field [[53]]may be substituted with a seat class field or the like.

Replace the paragraph beginning on line 1 of page 17 as follows:

The following fields relate to an acceptance parameter set by the seller. Minimum acceptable price field 54 preferably stores a minimum price at which the seller is willing to sell the booking. Date available field [[55]]preferably stores an indication of the dates for which the booking is available.

Replace the paragraph beginning on line 20 of page 20 as follows:

Referring first to FIG 6, there is depicted an exemplary process [[141]]140 for determining promotional bump amounts that may be applied to a purchase offer. The process [[141]]140 begins at step 142 where the system determines whether a promotion applies to a particular offer. The determination may be based upon whether the user submitting the offer has participated in a cross subsidy program or the like. The promotion may include an offer of a currency value to be

provided to a participant of the promotional offer. If such a promotional bump amount is available, the process [[141]]140 continues to step 144 as follows. Otherwise the process continues to step 152 below.

Replace the paragraph beginning on line 5 of page 21 as follows:

At step 144, the system server 12 may determine the bump amount to be applied and stores the value in demand database 32. The system server 12 then determines the margin and the subsidy to be applied to the purchase offer price without the bump amount and stores this values as well (step 146). Next, the system server determines which is greater, the purchase offer price plus the bump amount, or the purchase offer price with the subsidy (step 148). The greater of the two values is then stored as the final purchase offer price for the submitted purchase offer (step 150), after which the process [[141]]140 ends.

Replace the paragraph beginning on line 12 of page 21 as follows:

At step 152, the system server 12 determines the final purchase price including a margin and a subsidy to be applied to the purchase offer price. The final purchase offer price is then stored (step 154) and preferably marked as ready for comparison to the plurality of bookings (step 156), after which, process [[141]]140 ends.

Replace the paragraph beginning on line 1 of page 23 as follows:

From either step 190 or step 200, the process 160 continues to step 202 where the system server 12 determines whether a subsidy is available for a particular purchase offer by comparing the subsidy amount to an amount of revenue set aside for the subsidy program by the system operator of the buyer-driven commerce system. If a currency value is available, the process [[69]]160 continues to step 204 where the subsidy amount available is set to the determined subsidy value. If no currency value is available, the subsidy amount for a particular purchase offer is set to [[zer0]]zero (step 206), after which the process 160 continues to step 208.

Replace the paragraph beginning on line 17 of page 26 as follows:

A second process 400 for determining a booking with a subsidy is presented in FIG. [[16]]14. The process 400 begins at step 402 wherein a target cost is calculated for a purchase offer. The target cost is preferably calculated as the submitted offer price less the required margin amount. At step 404, the system server 12 then calculates the maximum cost for the booking as the target cost plus an available subsidy.

Replace the paragraph beginning on line 18 of page 27 as follows:

FIG. 16 depicts an exemplary output menu 510 by which a system operator may select the category of simulation outputs to view. If the system operator requests an overall output, an

overall output screen 520 may be provided in order to present the overall acceptance statistics to the system operator. FIG. 17 depicts an overall output screen [[520]]530 with the resulting statistics from a simulation. FIG. 17 further includes a output by requested star rating screen 540 which is presented when the system operator requests simulation results presented by star rating.

Replace the paragraph beginning on line 8 of page 29 as follows:

A second process 750 is provided in FIG. 24 to determine an average booked cost for the plurality of submitted purchase offers. The process 750 begins at step 752 where a total room cost is determined for each offer. The average booked cost is then determined at step 754 by dividing the total room cost by the number of rooms requested by each purchase offer. This value is then stored and process 750 ends.

Replace the paragraph beginning on line 19 of page 29 as follows:

From this data, the system server 12 then calculates and stores the following information for each property considered for each purchase offer: (1) revenue generated for the system operator from the plurality of purchase offers, (2) revenue generated for each seller, (3) check in date requested, (4) number of room nights requested, (5) rejection code (if any), (6) offer accepted by another seller, (7) offer accepted by another seller in same geographic location, (8) minimum star rating requested, (9) bump amount applied, and (10) final offer price including bump amount (step 770). After this data is determined, the process 760 ends.

CLAIMS

Claim 75 is cancelled and claims 1, 3, 8, 12, 16, 20-23, and 36-42 are amended as follows:

1. A method for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, comprising:
receiving a plurality of available bookings from a seller, each available booking including an acceptance parameter and at least one of an acceptance parameter, a date of availability, a room type, and a geographic location;
receiving a plurality of purchase offers for the plurality of bookings;
storing a plurality of rejected purchase offers from the plurality of purchase offers; and
determining a number of [[the]]unaccepted purchase offers which would be accepted based on a change of the acceptance parameter.

3. The method of claim 2, wherein the demand data acceptance parameter comprises at least one of:
a customer identifier, a payment identifier, a rating for a hotel, a location for a hotel, a number of room nights, an occupancy of the room, a room type and a price.

8. The method of claim 7, wherein the simulated change comprises at least one of:
a second minimum price and a second minimum margin amount.

12. The method of claim 11, wherein said determining further comprises:
determining an optimum value for the acceptance parameter based on the plurality of inputs.

16. The method of claim 1, further comprising:
changing the acceptance parameter based on [[the]] a simulated acceptance rate.

20. A computer-readable medium encoded with processing instructions for implementing a method for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, the method comprising:
receiving a plurality of available bookings from a seller, each available booking including an acceptance parameter and at least one of an acceptance parameter, a date of availability, a room type, and a geographic location;
receiving a plurality of purchase offers for the plurality of bookings;
storing a plurality of rejected purchase offers from the plurality of purchase offers; and
determining a number of [[the]]unaccepted purchase offers which would be accepted based on a change of the acceptance parameter.

21. An apparatus for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, comprising:

means for receiving a plurality of available bookings from a seller, each available booking including <u>an acceptance parameter and </u>at least one of <s>an acceptance parameter,</s> a date of availability, a room type, and a geographic location;
means for receiving a plurality of purchase offers for the plurality of bookings;
means for storing a plurality of rejected purchase offers from the plurality of purchase offers; and
means for determining a number of [[the]]unaccepted purchase offers which would be accepted based on a change of the acceptance parameter.

22. An apparatus for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, comprising:
a processor; and
a memory in electronic communication with the processor, the memory encoded with processing instructions for directing the processor to:
receive a plurality of available bookings from a seller, each available booking including <u>an acceptance parameter and </u>at least one of <s>an acceptance parameter,</s> a date of availability, a room type, and a geographic location;
receive a plurality of purchase offers for the plurality of bookings;
store a plurality of rejected purchase offers from the plurality of purchase offers; and
determine a number of [[the]]unaccepted purchase offers which would be accepted based on a change of the acceptance parameter.

23. A method for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, comprising:
providing a plurality of available bookings, each including <u>an acceptance parameter and </u>at least one of <s>an acceptance parameter,</s> a date of availability, a room type, and a geographic location;
receiving an indication of a plurality of unacceptable purchase offers submitted for at least one of the available bookings; and
receiving a second indication of a number of [[the]]unacceptable purchase offers which would be accepted based on a simulated change of the acceptance parameter.

36. The method of claim [[24]]<u>35</u>, wherein the optimum value corresponds to a maximum revenue for a predetermined amount of margin.

37. The method of claim [[24]]<u>35</u>, wherein the optimum value corresponds to a maximum number of room nights for a predetermined margin amount.

38. The method of claim [[24]]<u>35</u>, wherein the optimum value corresponds to a maximum margin for a predetermined number of room nights.

39. The method of claim [[23]]<u>28</u>, further comprising: changing the acceptance parameter based on the simulated acceptance rate.

40. A computer-readable medium encoded with processing instructions for implementing a method for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, the method comprising:
providing a plurality of available bookings, each including <u>an acceptance parameter and</u> at least one of ~~an acceptance parameter,~~ a date of availability, a room type, and a geographic location;
receiving an indication of a plurality of unacceptable purchase offers submitted for at least one of the available bookings; and
receiving a second indication of a number of the unacceptable purchase offers which would be accepted based on a simulated change of the acceptance parameter.

41. An apparatus for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, comprising:
means for providing a plurality of available bookings, each including <u>an acceptance parameter and</u> at least one of ~~an acceptance parameter,~~ a date of availability, a room type, and a geographic location;
means for receiving an indication of a plurality of unacceptable purchase offers submitted for at least one of the available bookings; and
means for receiving a second indication of a number of the unacceptable purchase offers which would be accepted based on a simulated change of the acceptance parameter.

42. An apparatus for determining an optimized acceptance rate for purchase offers submitted to a buyer-driven commerce system, comprising:
a processor; and
a memory in electronic communication with the processor, the memory for storing a plurality of processing instructions directing the processor to:
provide a plurality of available bookings, each including <u>an acceptance parameter and</u> at least one of ~~an acceptance parameter,~~ a date of availability, a room type, and a geographic location;
receive an indication of a plurality of unacceptable purchase offers submitted for at least one of the available bookings; and
receive a second indication of a number of the unacceptable purchase offers which would be accepted based on a simulated change of the acceptance parameter.

75. Cancelled.

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER

2.   The following changes to the drawings have been approved by the examiner and agreed upon by applicant: Fig. 1 contains two "system servers" both labeled with reference character 14: one should be labeled with reference character 12 and the other should be designated a "seller server" and remain labeled with reference character 14. Fig. 9 has been mislabeled in the drawings as Fig. 11. Fig. 23 contains the reference character 142 instead of 714. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3.   The following is an examiner's statement of reasons for allowance:

As per claims 1-21, the prior art of record, specifically Walker et al (6,134,534), Blume et al (6,839,682), and Brett (WO/01/59649) does not disclose or fairly teach:
storing a plurality of rejected purchase offers from the plurality of purchase offers; and determining a number of unaccepted purchase offers which would be accepted based on a change of the acceptance parameter.

As per claims 23-42, the prior art of record, specifically Walker et al (6,134,534), Blume et al (6,839,682), and Brett (WO/01/59649) does not disclose or fairly teach:
receiving an indication of a plurality of unacceptable purchase offers submitted for at least one of the available bookings; and receiving a second indication of a number of unacceptable purchase offers which would be accepted based on a simulated change of the acceptance parameter.

As per claims 43-61, the prior art of record, specifically Walker et al (6,134,534), Blume et al (6,839,682), and Brett (WO/01/59649) does not disclose or fairly teach:
storing demand data associated with the rejected purchase offers; entering a simulated change of the acceptance parameter; determining a simulated acceptance rate based on the stored demand data and the simulated change.

As per claims 62-70, the prior art of record, specifically Walker et al (6,134,534), Blume et al (6,839,682), and Brett (WO/01/59649) does not disclose or fairly teach:
collecting demand data for a predetermined period of time, the demand data including at least one purchase offer corresponding to the booking which is not accepted by a seller based on the acceptance parameter; and generating a report for the seller, the report including at least one new acceptance parameter and an estimated number of bookings corresponding to the new acceptance parameter based on the demand data.

As per claims 71-74, the prior art of record, specifically Walker et al (6,134,534), Blume et al (6,839,682), and Brett (WO/01/59649) does not disclose or fairly teach:
receiving a report including an estimated change in an acceptance of a plurality of purchase offers based on the collected demand data and a proposed acceptance parameter; and changing the acceptance parameter after receiving the report.
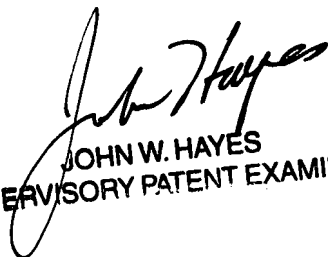
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel P. Vetter whose telephone number is (571) 270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER